

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:22-CV-22671-ALTONAGA/TORRES

DELIO BATISTA,
MARIANA LOPEZ,
CARLOS LOPEZ, AND
RAFAELA VALIENTE,

Plaintiffs,

vs.

AVANT ASSURANCE INC.,
REINIER CORTES, AND
ANDREA GONZALEZ
QUINTERO,

Defendants.

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**PLAINTIFF'S UNOPPOSED MOTION TO
RESCHEDULE SETTLEMENT CONFERENCE**

Plaintiffs, Delio Batista, Mariana Lopez, Carlos Lopez, and Rafaela Valiente, through their undersigned counsel, request the Court to reschedule the Settlement Conference set for February 6, 2023 at 10:00am based on the following:

1. This Court entered a Notice Scheduling Settlement Conference for Tuesday, February 7, 2023 at 10:00am. [ECF No. 38].
2. On February 2, 2023, the Court entered a notice rescheduling settlement conference for February 6, 2023. [ECF No. 40].
3. However, undersigned counsel has to appear for a scheduling conference in Case No. 1:22-cv-00342-RH-MJF at the same time on February 6, 2023 at 10:00 a.m. See Exhibit A.
4. That hearing has been scheduled since January 25, 2023.

5. Furthermore, it took undersigned counsel more than a week to coordinate the appearances of his (4) clients at the settlement conference in this case.

6. Plaintiffs were set to appear in-person at undersigned counsel's office on February 7, 2023 in order to facilitate the management of the settlement conference.

7. None of the Plaintiffs speak English and need an interpreter to translate the proceedings for them, which is easier to do if they are all in one place at one time.

8. Additionally, this Court entered an Order instructing the Defendants to respond to Plaintiff's Statement of Claim by February 6, 2023. [ECF No. 39].

9. Plaintiffs need the Defendants' response to their Statement of Claim to be prepared for the settlement conference.

10. The rescheduling of the settlement conference on the same day that the response to the Statement of Claim is due will not allow undersigned counsel to adequately advise his clients on the contents of the response.

11. Specifically, Plaintiffs will not be prepared to participate in the settlement conference if they receive the response to the Statement of Claim the morning of, or after, the conference on February 6, 2023.

12. For all of the above reasons, the Plaintiffs respectfully request the Court to reschedule the settlement conference in this case after allowing the parties to coordinate a date and time that is convenient for their respective clients.

LOCAL RULE 7.1 CERTIFICATION

Counsel for the movant conferred by phone with the office of Defendants' counsel who agreed to the relief requested above.

s/Toussaint Cummings, Esq.
Toussaint M. Cummings, Esq.

Respectfully submitted on February 2, 2023.

s/Toussaint Cummings, Esq.
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